



**WEST SENECA
ZONING BOARD OF APPEALS
1300 Union Road, West Seneca, NY 14224
6:00 PM in the Community Center
July 22, 2026**

Start Time: 6:00PM

Call to Order

Present:

- Chairperson Stephen Stachowski
- Zoning Board Member Joette Tronolone
- Zoning Board Member Amelia Greenan
- Zoning Board Member Paul Lang
- Zoning Board Member Edmund Bedient
- ZBA Counsel Joseph Trapp
- Code Enforcement Representative Doug Busse

Absent:

- None specifically noted

Opening of Public Hearing

- Motion to open Public Hearing: Tronolone
- Second: Lang
- Vote: Ayes: 5, Noes: 0
- Public Hearing opened. Emergency exit locations were announced.

Approval of Proofs of Publication

- Motion: Greenan
- Second: Lang
- Vote: Ayes: 5, Noes: 0

Approval of Minutes from previous meeting

- Minutes approved for June 2026

- Motion: Tronolone
- Second: Bedient
- Vote: Ayes: 5, Noes: 0

OLD BUSINESS

- **2026-022 — 29 Class Avenue** (Applicant absent second consecutive month)
 - Motion to table to end of meeting: Tronolone
 - Second: Bedient
 - Vote: Ayes: 5, Noes: 0

NEW BUSINESS

2026-030 — 48 Hillview Terrace (Applicant: Alexander Oar) — Fence Variance (Area)

- Request: Install 6-foot solid vinyl privacy fence in front/side yards, 4 feet off sidewalk; corner lot considerations.
- Neighbor support letters submitted: 87 Hillview Terrace, 42 Hillview Terrace, 54 Hillview Terrace.
- Code Enforcement: Corner lot fence standards apply; 4-foot sidewalk setback acceptable for safety.
- Public Comment: None.

Motion:

- Close public hearing and grant variance as requested.
- Motion: Greenan
- Second: Tronolone
- Vote: Ayes: 5, Noes: 0

Area Variance Balancing Test (5 factors):

1. Undesirable change to neighborhood character or detriment to nearby properties: No. Neighbor letters and typical corner-lot fence context support compatibility.
2. Feasible alternatives: None that achieve privacy/security equivalently; requested placement is appropriate.
3. Substantiality: Not substantial relative to common fence approvals and corner-lot conditions.
4. Adverse physical/environmental impact: None; 4-foot sidewalk offset aids safety.
5. Self-created difficulty: No; corner-lot geometry and existing conditions drive the need.

2026-031 — 57 Woodcrest Drive (Applicant: Kelly Kostelny) — Garage Setback Variance (Area)

- Request: Side-yard setback variance for new two-car garage with small lean-to; originally requested 20 inches to property line. Applicant agreed with neighbor to increase setback by 7 inches (approx. 27–30 inches).
- Background: Old garage (approx. 80 years) removed due to structural failure; new pad placed; applicant stopped work upon code notice and filed properly.
- Neighbor support: 61 Woodcrest, 53 Woodcrest (requested 7-inch reduction, now accommodated), 64 Brookside (rear neighbor).
- Drainage: Gutters and planned drainage to avoid impact to neighbors.
- Code Enforcement: Applicant cooperated, ceased work until variance process; recognizes new setbacks apply even when replacing old structure.
- Town Attorney: No comment.
- Public Comment: None.

Motion:

- Approve variance as requested.
- Motion: Stachowski
- Second: Bedient
- Vote: Ayes: 5, Noes: 0

Area Variance Balancing Test (5 factors):

1. Neighborhood character/detriment: No; garage historically present in same footprint; replacement improves aesthetics and consistency.
2. Feasible alternatives: Moving to full code setback (36 inches) would be impractical given existing pad and historic footprint; requested location is most effective.
3. Substantiality: Numerically substantial (from 36" required to ~20–30"), but contextually not substantial due to longstanding footprint and minimal impact.
4. Adverse physical/environmental effects: None; structure replaces prior garage; drainage measures planned.
5. Self-created difficulty: Yes, but not determinative; necessity and prior conditions justify relief.

2026-032 — 5112 Seneca Street (Applicant: Joe Gerace) — Pavilion Height Variance (Area)

- Request: Increase accessory structure height from 12 ft (code) to 16 ft midline for timber-frame pavilion with hammer beam truss (12:12 pitch), approx. 20-ft span.
- Purpose: Family entertaining; open, airy design consistent with craftsman style; large, mature lot (~2 acres), rear yard placement.
- Neighbor letters: 5096 Seneca Street, 5118 Seneca Street.

- County referral: Letter dated 2026-07-07 — local concern, no recommendation for county action.
- Code Enforcement: No environmental/runoff concerns; structure centered in large lot; significant distance from property lines.
- Utilities: None planned at this time.
- Town Attorney: No comment.
- Public Comment: None.

Motion:

- Approve variance as requested.
- Motion: Tronolone
- Second: Greenan
- Vote: Ayes: 5, Noes: 0

Area Variance Balancing Test (5 factors):

1. Neighborhood character/detriment: No; accessory structures common; 16 ft not out of scale; rear placement minimizes visibility.
2. Feasible alternatives: Could reduce to 12 ft to comply, but design/usage needs favor requested height; family use and aesthetic fit considered.
3. Substantiality: Not substantial, especially given siting and lot size.
4. Adverse physical/environmental impacts: None (no noise/traffic/drainage issues; meets other code requirements).
5. Self-created difficulty: Yes, but modest request; relief warranted.

2026-033 — 128 Mill Road (Applicant: Paul Crevatin) — Front Yard Setback for Porch Roof (Area)

- Request: Add permanent roof over existing front porch; resulting setback approx. 27 ft where 30 ft required (R-65 zone). House sits ~35 ft off road without porch; existing porch encroaches; roof triggers need for variance.
- Purpose: Weather protection (sun, snow, rain).
- Neighborhood context: Other homes have covered front porches.
- Neighbor letters: 132 Mill Road, 122 Mill Road.
- Code Enforcement: No traffic/visibility concerns at 27 ft setback.
- Town Attorney: No comment.
- Public Comment: None.

Motion:

- Approve variance as requested.
- Motion: Bedient
- Second: Lang
- Vote: Ayes: 5, Noes: 0

Area Variance Balancing Test (5 factors):

1. Neighborhood character/detriment: No; enhances curb appeal; consistent with neighborhood features.
2. Feasible alternatives: Realistic alternatives limited due to existing porch footprint; covering it is practical.
3. Substantiality: Not substantial; minor setback reduction; roof over existing porch.
4. Adverse physical/environmental impacts: None; improves safety/usability; no drainage or sightline issues noted.
5. Self-created difficulty: Yes, but not determinative.

2026-034 — 304 East and West Road (Contractor: John Keem III for homeowner) — Pool Deck Separation Variance (Area)

- Request: Reduce required 10-ft separation between existing deck/patio and above-ground pool deck to 0 ft, integrating a new ~350 sq ft pool deck between existing deck and pool for direct access.
- Neighbor letters: 310 East and West, 300 East and West.
- County referral: Letter dated 2026-07-07 — local concern, no recommendation.
- Code Enforcement: Requires self-closing, self-latching gate at separation point; applicant confirmed compliance.
- Town Attorney: No comment.
- Public Comment: None.

Motion:

- Approve variance as requested.
- Motion: Bedient
- Second: Lang
- Vote: Ayes: 5, Noes: 0

Area Variance Balancing Test (5 factors):

1. Neighborhood character/detriment: No; typical pool/deck configuration; minimal external impact.
2. Feasible alternatives: Alternatives (no deck or different side) reduce functionality; requested design streamlines safe access.
3. Substantiality: Numerically substantial (10 ft to 0 ft), but contextually not substantial due to design purpose, safety gate, and negligible neighborhood impact.
4. Adverse physical/environmental impacts: None unique; deck placement around above-ground pool comparable to customary layouts.
5. Self-created difficulty: Yes, but not determinative.

OLD BUSINESS (Return)

- 2026-022 — 29 Class Avenue
 - Applicant did not appear (third scheduled attempt upcoming).
 - Motion to table to next meeting and note third attempt; if no-show next time, proceed to receive and file.
 - Motion: Tronolone
 - Second: Beattie
 - Vote: Ayes: 5, Noes: 0

Closing of Public Hearing

- Motion to close Public Hearing: Tronolone
- Second: Bedient
- Vote: Ayes: 5, Noes: 0

Meeting Ended 6:41pm